

**S006221**

**2004, 2005, 2006**

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return this Form by **JULY 1, 2007**

Primary Owner: **U S TOIYABE NATL FOREST**

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING  
**U S TOIYABE NATL FOREST**  
**1200 FRANKLIN WAY**  
**SPARKS, NV 89431**

STATEMENT NO.: **S006221**  
CONTACT PHONE NO.: **(702) 331 - 6444**

Source Name: **EVANS CANYON CREEK**  
Tributary To: **UNKNOWN**  
County: **Sierra**  
Diversion Within: **NE¼ of NE¼ Section 18 T21N, R17E, MB&M**

Year of First Use:  
Parcel Number:

STATE WATER RESOURCES  
CONTROL BOARD  
DIV OF WATER RIGHTS  
SACRAMENTO  
2007 OCT - 9 PM 2:45

- A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right \_\_\_\_\_ Other (explain): Reserved
- B. **Year of First Use:** (Please provide if missing above) \_\_\_\_\_
- C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.
- Amounts below are in: Gallons \_\_\_\_\_ Million Gallons (MG) \_\_\_\_\_ Acre-feet (AF) \_\_\_\_\_ Other \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004					X	X	X	X	X				
2005					X	X	X	X	X				
2006					X	X	X	X	X				

- D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.
- Irrigation \_\_\_\_\_ acres; Stockwatering ☒ \_\_\_\_\_; Domestic ☒ \_\_\_\_\_
- Other (specify) Fire protection
- E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.) \_\_\_\_\_
- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO X  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

- b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO X

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO X.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_ NO X.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO X.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_ NO X.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 10/02, 20 07 at Spark NV for Carson District, California

SIGNATURE: Barbara M Drake

PRINTED NAME: Barbara M Drake  
(first name) (middle initial) (last name)

COMPANY NAME: US DA Forest Service Humboldt Toiyabe NF

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

U S TOIYABE NATIONAL FOREST  
1200 FRANKLIN WAY  
SPARKS, NV 89431

091 MAR 23 PM 2:44

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 006221

TELEPHONE NUMBER:  
(702) 331 - 6444

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: EVANS CANYON CREEK

TRIBUTARY TO:

COUNTY: SIERRA

DIVERSION

WITHIN: NE1/4 OF NE1/4 SECTION 18, T21N, R17E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☒ Acre-feet ☐ \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988					X	X	X	X	X	X			.3
1989					X	X	X	X	X	X			.3
1990					X	X	X	X	X	X			.3

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_

Stockwatering 1,000 Sheep

Domestic \_\_\_\_\_

Other (specify) Wildlife

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 1/25, 19 91, at Reno, Nevada, California

Signature: *R. Z. Jamison*

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA  
95811-3224503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 006221

U S TOIYABE NATIONAL FOREST  
1200 FRANKLIN WAY  
SPARKS, NV 89431

TELEPHONE NUMBER:  
( ) -

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: EVANS CANYON CREEK

TRIBUTARY TO:

COUNTY: SIERRA

DIVERSION

WITHIN: NE1/4 OF NE1/4 SECTION 18, T21N, R17E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1988. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☒ Acre-feet ☐ \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1985					X	X	X	X	X	X			.3
1986					X	X	X	X	X	X			.3
1987					X	X	X	X	X	X			.3

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_

Stockwatering 1,000 Sheep

Domestic \_\_\_\_\_

Other (specify) wildlife

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 1/25, 19 91, at Reno NV, California

Signature: Richard J. Johnson

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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and ending 9/30 of each year.

- (b) For diversion, storage, and later application to beneficial use:        acre-feet per annum, to be collected between        and        of each year.

- (4) The use(s) to which the water is put is(are) the following:

stock water, domestic, fire  
(domestic, irrigation, power, recreation, stock water, fire  
control, or fish culture)

- (5) The place where the water is used is Evans Canyon  
(commonly used name or local  
      , in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 8,  
designation) (40-acre subdivision)  
Township 21N, Range 17E, Mt. Diablo Base and Meridian, in  
       County, California.

- (6) If said place of use of the water covered by this notification is also served by water covered by another notification or by a water right from the State:

(a) The number of the Forest Notification of the         
National Forest is       .

(b) The number of the State (permit) (license)\* is        issued  
pursuant to application number       .

- (7) The water used covered by this notification commenced in the  
year 1909.

- (8) If the water use covered by this notification is by a person or  
entity occupying National Forest land under a special use permit:

(a) The permittee is named       .

\*Strike out inapplicable word.



(b) The permit was issued for the purpose(s) of \_\_\_\_\_

SAID PERMITTEE DOES NOT HAVE A WATER RIGHT UNDER CALIFORNIA LAW  
COVERING THIS USE.

The foregoing diversion and use are made pursuant to a withdrawal  
and reservation of the affected land and resources thereon for  
National Forest System purposes. The effective date of said with-  
drawal and reservation is March 2, 1909.

A map, if available, showing points of diversion and use is  
attached hereto.

The United States of America gives this notification to the State  
in the interest of comity, and does not concede that the State has  
power to regulate the rights of the United States to use of the water.

DATED this 13<sup>th</sup> day of July, 19 70.

UNITED STATES OF AMERICA

By S. L. Cuskelly S. L. Cuskelly,  
Acting Regional Forester, Intermountain Region,  
Forest Service